

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JORGE N. ARRELLANO-LOPEZ,)	Case No.: 1: 23-cv-0093 JLT EPG
)	
Plaintiff,)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATIONS, DISMISSING THE
v.)	ACTION WITHOUT PREJUDICE, AND
)	DIRECTING THE CLERK OF COURT TO CLOSE
J. GONZALES, et al.,)	THE CASE
)	
Defendants.)	(Doc. 32)
)	
)	

Jorge Arrellano-Lopez seeks to hold the defendants liable for violations of his civil rights while incarcerated at Pleasant Valley State Prison. (*See* Docs. 15, 20.) The magistrate judge found Plaintiff failed to prosecute this action and failed to obey the Court’s order to file a statement regarding scheduling and discovery. (Doc. 32 at 1-2; *see also* Docs. 29, 31.) The magistrate judge found terminating sanctions are appropriate for these failures, after considering the factors identified by the Ninth Circuit in *Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002). (*Id.* at 2-3.) Therefore, the magistrate judge recommended the Court dismiss the action without prejudice. (*Id.* at 3.)

The Court served the Findings and Recommendations on the parties and notified Plaintiff that any objections were due within 30 days. (Doc. 32 at 3.) The Court advised Plaintiff that the “failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.* at 4, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed.

1 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
2 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are
3 supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 4 1. The Findings and Recommendations dated February 19, 2025 (Doc. 32) are
5 **ADOPTED** in full.
- 6 2. The action is **DISMISSED** without prejudice, due to Plaintiff's failure to prosecute and
7 failure to obey the Court's order.
- 8 3. The Clerk of Court is directed to close this case.

9
10 IT IS SO ORDERED.

11 Dated: **March 30, 2025**


UNITED STATES DISTRICT JUDGE